

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

DECKER et al.

Serial No.: 10/650,347

Filed: August 27, 2003

Atty. File No.: 4600-4-CIP

For: "LOCKABLE BRAKE PEDAL
FASTENER"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

) Group Art Unit: 3683

) Examiner:

INFORMATION DISCLOSURE STATEMENT

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA
22313-1450 ON JANUARY 19, 2004.

BY: *Amy Duarte* SHERIDAN ROSS P.C.

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner:

☒ Copies of the cited non-patent references are enclosed herewith.

☒ Copies of the cited U.S. patents are not enclosed in accordance with the waiver dated July 11, 2003, whereby patent applications filed after June 30, 2003 and international applications that have entered the national stage under 35 U.S.C. § 371 after June 30, 2003 need not submit copies of U.S. patents and U.S. patent application publications.

☒ A copy of the cited non-patent reference identified with an asterisk (*) is not enclosed, in accordance with 37 C.F.R. 1.98(d), because the reference was submitted to the U.S. Patent and Trademark Office in prior application Serial No. 10/015,339, now U.S. Patent No. 6,634,466, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☐ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. _____ filed _____

Serial No. _____ filed _____

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in

the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <div style="margin-left: 40px;"> <input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or <input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or <input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. </div> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <div style="margin-left: 40px;"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. </div> <p>This Information Disclosure Statement is accompanied by:</p> <div style="margin-left: 40px;"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. </div> <p style="text-align: center;">OR</p> <div style="margin-left: 40px;"> <input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. </div>
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <div style="margin-left: 40px;"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) </div> <p style="text-align: center;">AND</p> <div style="margin-left: 40px;"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification. </div>

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

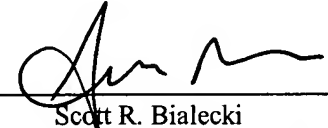
OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By: _____


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(303) 863-9700

Date: _____

1/19/04

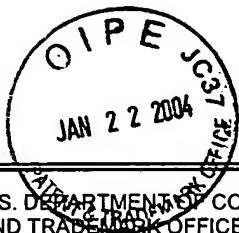


FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 4600-4-CIP	SERIAL NO. 10/650,347
	APPLICANT DECKER et al.	
	FILING DATE August 27, 2003	GROUP ART 3683

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1.	1,907,835	May-33	H.W. Langbein			
	2.	2,566,859	Sep-51	A. I. Seeler			
	3.	2,676,225	Apr-54	J. J. Jubell			
	4.	2,711,228	Jun-55	W. F. Shank			
	5.	2,964,965	Dec-60	A. H. Hanson			
	6.	3,662,593	May-72	Pirrello et al.	73	132	
	7.	3,866,719	Feb-75	Streutker	188	3R	
	8.	3,877,318	Apr-75	Castoe	74	481	
	9.	3,991,609	Nov-76	Asmus et al.	73	132	
	10.	4,186,595	Feb-80	Domitter	73	132	
	11.	5,012,689	May-91	Smith	74	89.17	
	12.	5,031,729	Jul-91	Wittkop et al.	188	3H	
	13.	5,078,024	Jan-92	Cicotte et al.	74	512	
	14.	5,299,668	Apr-94	Youngers et al.	188	352	
	15.	5,411,321	May-95	Harness	303	7	
	16.	5,460,061	Oct-95	Redding et al.	74	512	
	17.	5,911,483	Jun-99	Overhulser	303	7	
	18.	5,915,797	Jun-99	Springer	303	7	
	19.	5,915,798	Jun-99	Ford	303	7	
	20.	6,095,619	Aug-00	Granata	303	7	
	21.	6,126,246	Oct-00	Decker, Sr. et al.	303	7	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



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	22.	6,131,712	Oct-00	Rhodenizer	188	352	
	23.	6,634,466	Oct-03	Brock et al.	188	3R	
	24.	D308,525	Jun-90	Robbins	D15	4	
	25.	D370,448	Jun-96	McCoy et al.	D12	180	
	26.	D418,098	Dec-99	Wallace	D12	180	
	27.	D468,243	Jan-03	Iida	D12	180	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	28.*	Article by K. Stephen Busick entitled, "Supplemental Braking Systems," July, 2001 issue of Family Motor Coaching magazine, pp. 60-75.
	29.	Master Concepts Inc. Brakebuddy® brochure dated 08/01, 6 pages.
	30.	Master Concepts, Inc. Brakebuddy® brochure dated 01/02, 6 pages.
	31.	Photos taken of Blue Ox Apollo Braking System with brake pedal fastener, purchased approximately March 2003, 12 pages.

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	